

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JOHN THOMAS BIASO
a/k/a PHILLIP REPP,

Plaintiff,

VS.

**LIEUTENANT WILLIAM
HANCOCK, et al.,**

Defendants.

Case No: 5:08-CV-0094-CLS-RRR

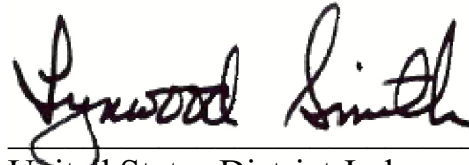
ORDER

The magistrate judge filed a report and recommendation on February 11, 2009, recommending that all of plaintiff's claims against Lt. William R. Hancock, Major Rich Weaver, Sheriff Blake Dorning, Dr. Author Williams and Attorney Roy Wesley Miller be dismissed. It was further recommended that the plaintiff's ACLU contraband claim against Robin Baker be referred to the magistrate judge for further proceedings.

On March 5, 2009, the plaintiff filed objections to the report and recommendation. (Doc. no.26). The document entitled “Notice: Objection to Dismissal” is an annotated list of various pieces of evidence numbered one through eighty-six which the plaintiff claims support his original complaint and refute the magistrates recommendation. Only eight of the eighty-six documents were sent to the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be, and it hereby is, ADOPTED, and the magistrate judge's recommendation is ACCEPTED. It is therefore ORDERED, ADJUDGED, and DECREED that all of plaintiff's claims in this action except for the ACLU contraband claim against Robin Baker are DISMISSED pursuant to 28 U.S.C. § 1915A(b). It is further ORDERED that the ACLU contraband claim against Robin Baker is REFERRED to the magistrate judge for further proceedings.

DONE and ORDERED this 24th day of April, 2009.

A handwritten signature in black ink, appearing to read "Lynwood Smith", is written over a horizontal line.

United States District Judge